

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PURIFICACION CRISTOBAL,

Movant,

-v.-

UNITED STATES OF AMERICA,

Respondent.

25 Civ. 1638 (KPF)

20 Cr. 463-1 (KPF)

**ORDER DIRECTING
MOVANT'S ATTORNEYS
TO FILE AFFIDAVITS AND
DIRECTING THE GOVERNMENT
TO ANSWER**

KATHERINE POLK FAILLA, District Judge:

WHEREAS Purificacion Cristobal has moved for relief from her sentence pursuant to 28 U.S.C. § 2255 on the ground that one or more of her former attorneys, Jonathan Avner Rosenberg, S. Michael Musa-Obregon, Kristen Marie Santillo, Samantha Chorny, Fern Mechlowitz, and Joseph Victor Sorrentino, provided ineffective assistance of counsel, *inter alia*; and

WHEREAS the Court, after reviewing Dr. Cristobal's submission of her informed consent waiver of the attorney-client privilege and her 2255 petition, is satisfied that the testimony of Mr. Rosenberg, Mr. Musa-Obregon, Ms. Santillo, Ms. Chorny, Mr. Mechlowitz, and Mr. Sorrentino is needed in order to allow the Government to respond to the motion; and

WHEREAS by making the motion, Dr. Cristobal has waived the attorney-client privilege as a matter of law,

IT IS HEREBY ORDERED that Mr. Rosenberg, Mr. Musa-Obregon, Ms. Santillo, Ms. Chorny, Mr. Mechlowitz, and Mr. Sorrentino shall give sworn testimony, in the form of affidavits, addressing the allegations contained in Dr. Cristobal's 2255 petition, dated February 21, 2025. (25 Civ. 1638, Dkt. #1). Mr. Rosenberg, Mr. Musa-Obregon, Ms. Santillo, Ms. Chorny, Mr. Mechlowitz, and Mr. Sorrentino are hereby ORDERED to submit such affidavits by **June 9, 2025**. Mr. Rosenberg, Mr. Musa-Obregon, Ms. Santillo, Ms. Chorny, Mr. Mechlowitz, and Mr. Sorrentino are further directed to serve Dr. Cristobal with a copy of such affidavits, and to file proof of such service on the docket.

The Government will have **60 days** from receipt of Mr. Rosenberg, Mr. Musa-Obregon, Ms. Santillo, Ms. Chorny, Mr. Mechlowitz, and Mr. Sorrentino's affidavits to submit an answer or other pleadings in response to the pending petition and affidavits. Dr. Cristobal shall have **30 days** from the date on which she is served with the Government's answer to file a response. Absent further order, the Court will consider the petition fully briefed following Dr. Cristobal's

response.

All further papers filed or submitted for filing must include the criminal docket number and will be docketed in the criminal case.

The Clerk of Court is directed to electronically notify the Criminal Division of the U.S. Attorney's Office for the Southern District of New York that this Order has been issued. The Clerk of Court is further directed to mail a copy of this Order to Dr. Cristobal at her address of record.

SO ORDERED.

Dated: April 9, 2025
New York, New York



KATHERINE POLK FAILLA
United States District Judge

By First Class Mail To:

Purificacion Cristobal
Reg. 88061-054
Marianna Federal Prison Camp
Seminole A Bldg.
P.O. Box 7006
Marianna, FL 32447-7006

To:

Jonathan Avner Rosenberg
Jonathan Rosenberg, PLLC
137 Court Street
Ste 2nd Floor
Brooklyn, NY 11201

Fern Mechlowitz
Gelber & Santillo PLLC
52 Duane Street
Ste 7th Floor
New York, NY 10007

S. Michael Musa-Obregon
Law Offices of S. Michael Musa-
Obregon, P.C.
177 Outwater Lane
Garfield, NJ 07026

Samantha Chorny
137 Court Street
Suite 2
Brooklyn, NY 11201

Kristen Marie Santillo
Gelber & Santillo PLLC
52 Duane Street
Ste 7th Floor
New York, NY 10007

Joseph Victor Sorrentino
Joseph V. Sorrentino PLLC
404 Manor Road
Staten Island, NY 10314

Jun Xiang
DOJ-USAO
26 Federal Plaza, 37th Floor
New York, NY 10278

Derek Wikstrom
DOJ-USAO
26 Federal Plaza, 37th Floor
New York, NY 10278

Kyle Adam Wirshba
U.S. Attorney's Office, SDNY
26 Federal Plaza, 37th Floor
New York, NY 10278